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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/169,793

10/09/98

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INGA.004

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EXAMINER

MARTINELL, J

ART UNIT

PAPER NUMBER

1633

DATE MAILED:

08/11/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/169,793**

Applicant(s)  
**Conrad**

Examiner  
**James Martinell**

Group Art Unit  
**1633**



☒ Responsive to communication(s) filed on May 19, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-15 is/are pending in the application.

Of the above, claim(s) 1-6 and 12 is/are withdrawn from consideration.

☒ Claim(s) 7, 10, 11, 13, and 14 is/are allowed.

☒ Claim(s) 8, 9, and 15 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Serial No. 09/169,793

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Claims 1-6 and 12 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention, the requirement having been traversed in Paper No. 7.

Applicant's election with traverse of the requirement for restriction in Paper No. 7 is acknowledged. The traversal is on the ground(s) that there is no additional burden of search for the examination of both Groups I and II. This is not found persuasive because at least two additional subclasses need to be searched for Group I and because the non-patent literature searches are divergent.

The requirement is still deemed proper and is therefore made FINAL.

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

The Sequence Listing filed May 19, 2000 does not comply with the Sequence Rules in that applicant did not direct entry of the paper copy sequence listing to replace the original sequence

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listing. Otherwise, the Sequence Listing filed May 19, 2000 satisfies the requirements of 37 CFR §§ 1.821-1.825.

Claims 8, 9, and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are vague and indefinite.

(a) The recitation of "additionally comprising linearizing"

(claim 8) is vague and indefinite because the molecule produced by the method of claim 7 is already linear.

Claims 7, 10, 11, 13, and 14 are allowable over the prior art of record.

Certain papers related to this application may be submitted to Group 1600 by facsimile transmission. Papers should be faxed to Art Unit 1633 at (703) 308-4242. The faxing of such papers must conform with the rules published in the Official Gazette, 1156 OG 61 (November 16, 1993).

Any inquiry concerning this communication should be directed to J. Martinell at telephone number (703) 308-0296.

n169793c.wpd

  
JAMES MARTINELL, Ph.D.  
SENIOR LEVEL EXAMINER

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